

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:) Chapter 7 Case
)
Tommassina Gordon,) Case No. **20-12187**
)
Debtor.) Hon. A. Benjamin Goldgar – Lake County

NOTICE OF MOTION

TO: See Attached List

PLEASE TAKE NOTICE that on **Friday, April 23, 2021 at 11:00 AM**, I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in his place, and present the United States Trustee's **Motion for Order Reopening Chapter 7 Case Pursuant to 11 U.S.C. § 350(B) and Rule 5010 of the Federal Rules of Bankruptcy Procedure and for Authorization to Appoint a Chapter 7 Trustee**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government.

No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **160 817 7512** and the password is **623389**. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/ Adam G. Brief
Adam G. Brief, Assistant U.S. Trustee
OFFICE OF THE U.S. TRUSTEE
219 S. Dearborn Street
Chicago, IL 60604
adam.brief@usdoj.gov
(202) 503-7104

CERTIFICATE OF SERVICE

I, Adam G. Brief, Assistant U.S. Trustee, certify that I caused copies of the **Notice of Motion and Motion for Order Reopening Chapter 7 Case Pursuant to 11 U.S.C. § 350(B) and Rule 5010 of the Federal Rules of Bankruptcy Procedure and for Authorization to Appoint a Chapter 7 Trustee** to be served on each entity shown on the attached list at the address shown and by the method indicated on the list on April 14, 2021.

/s/ Adam G. Brief

SERVICE LIST

Registrants Served Through the Court's Electronic Notice For Registrants:

Joseph E Cohen jcohen@cohenandkrol.com
David M Siegel davidsiegelbk@gmail.com

Parties Served via First Class Mail:

TOMMASSINA GORDON
326 BURTON ST
WAUKEGAN, IL 60085-3571

PRA RECEIVABLES MANAGEMENT, LLC
PO BOX 41021
NORFOLK, VA 23541

IN THE UNITED STATES BANKRUPTCY COURT
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EASTERN DIVISION

In Re:)	Chapter 7 Case
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Tommassina Gordon,)	Case No. 20-12187
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Debtor.)	Hon. A. Benjamin Goldgar – Lake County

**MOTION FOR ORDER REOPENING CHAPTER 7 CASE
PURSUANT TO 11 U.S.C. § 350(b) AND RULE 5010 OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE AND FOR
AUTHORIZATION TO APPOINT A CHAPTER 7 TRUSTEE**

Patrick S. Layng, the United States Trustee for the Northern District of Illinois (“U.S. Trustee”), by and through the Assistant U.S. Trustee, Adam G. Brief, hereby requests entry of an order reopening this case pursuant to Section 350(b) of the Bankruptcy Code and Bankruptcy Rule 5010 and for authorization to appoint a chapter 7 trustee. In support of his motion, the U.S. Trustee respectfully states as follows:

JURISDICTION

1. The Court has jurisdiction to hear and determine this proceeding under 28 U.S.C. § 157(b)(2) and IOP 15(a) and Local Rule 40.3.1 of the United States District Court for the Northern District of Illinois.

2. Movant is the U.S. Trustee for the Northern District of Illinois and is charged with supervising the administration of bankruptcy cases under 28 U.S.C. § 586(a). The U.S. Trustee has standing to bring this Motion under 11 U.S.C. § 307.

BACKGROUND

3. Tommassina Gordon (“Debtor”) commenced this case by filing a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on June 10, 2020.

4. Joseph E Cohen was appointed and served as the chapter 7 trustee (“Chapter 7 Trustee”). On July 14, 2020, the Chapter 7 Trustee filed a No Asset Report. [Doc. 13] Subsequently, the Court entered an order discharging the Chapter 7 Trustee and closing this bankruptcy case.

5. The U.S. Trustee received notification that Wells Fargo is issuing a refund to the Debtor on account of improperly collected fees related to an auto loan.

6. Upon information and belief, the U.S. Trustee believes that the refund may be property of the estate pursuant to 11 U.S.C. § 541(a).

RELIEF REQUESTED

7. The U.S. Trustee requests that the Court reopen this bankruptcy case and authorize the U.S. Trustee to appoint a chapter 7 trustee.

8. Section 350 of the Bankruptcy Code provides that:

(a) After an estate is fully administered and the court has discharged the trustee, the court shall close the case.

(b) A case may be reopened in the court in which such case was closed to administer assets, to accord relief to the debtor, or for other cause.

Rule 5010 of the Federal Rules of Bankruptcy Procedure implements Section 350(b).

9. Based on the foregoing, the U.S. Trustee requests that the Court reopen this bankruptcy case and authorize the U.S. Trustee to appoint a chapter 7 trustee to further investigate and determine whether assets are available for creditors and for any other action the chapter 7 trustee deems necessary.

WHEREFORE, the U.S. Trustee respectfully asks the Court to enter an order: (1) reopening this case; (2) authorizing the U.S. Trustee to appoint a chapter 7 trustee to represent the estate; and (3) for such other and further relief as this Court deems appropriate.

RESPECTFULLY SUBMITTED,
PATRICK S. LAYNG
UNITED STATES TRUSTEE

Dated: April 14, 2021

/s/ Adam G. Brief
Adam G. Brief, Assistant U.S. Trustee
OFFICE OF THE U.S. TRUSTEE
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